

REMARKS

The amendment to the Specification provided above is to place the application in compliance with 37 CFR 1.78.

MPEP 200.11(D) states:

D. Reference Must Be Included in the Specification or an Application Data Sheet (ADS)

The reference required by 37 CFR 1.78(a)(2) or (a)(5) must be included in an ADS or the specification must contain or be amended to contain such reference in the first sentence following the title. **If an applicant includes a benefit claim in the application** but not in the manner specified by 37 CFR 1.78(a) (**e.g., if the claim is included in an oath or declaration** or the application transmittal letter) within the time period set forth in 37 CFR 1.78(a), the Office **will not require a petition** under 37 CFR 1.78(a) and the surcharge under 37 CFR 1.17(t) to correct the claim **if the information concerning the claim was recognized by the Office as shown by its inclusion on the filing receipt...** (emphasis added)

Attached hereto is a copy of the filing receipt for the above-identified application and the declaration that was filed with the application, both of which show the priority claim.

Thus as indicated by MPEP 200.11(D) this amendment is to be entered without the need to file a petition to add the reference to the priority document on the first page of the application.

The Drawings and the Specification were objected to by the Examiner under 37 CFR § 1.83(e) and 32 USC § 132 based on the inclusion in the claims submitted in the Preliminary Amendment of the phrases: "cooling element arranged on the lower surface of the housing"; "gas manifold to flow gas around the cooling element"; "control unit connected to the cooling element"; and "indicator light connected to the cooling element" as describing items not shown in the figures and as the addition of new

matter to the disclosure.

All of the claims with any of the objectionable phrases in the previous paragraph have been amended to describe the various elements of the apparatus and system, and steps of the method, more consistently with the showing in the figures and the discussion of the specification as originally submitted.

Therefore no changes are required to the figures and no new matter has been added to the total disclosure, including the Specification, by way of the claims as herein amended.

Claims 41-52 have been rejected by the Examiner under 35 USC §112, first paragraph, as not complying with the written description requirement. Additionally, claims 28-73 were rejected by the Examiner under 35 USC §112, second paragraph, as being indefinite, specifically claims 28, 31-32, 35-36, 39, 41, 44, 48, 51, 53, 55, 57, 59, 62-63, 65-66 and 68. Each of the claims corresponding to issues mentioned by the Examiner in the action have been reviewed and amended to overcome each issue. Additionally, all claims have been reviewed in total and amended if an inconsistency of any kind was found and that claim was also amended to better clarify the claim.

Claims 28-40, 53-58 and 65-73 were each rejected under the judicially created doctrine of double patenting over claims 1-17 of USP 6,617,555. USP 6,617,555 and the current application are each 100% owned by Ultratech, Inc., formerly Ultratech Stepper, Inc. A Terminal Disclaimer is enclosed herewith to obviate the double patenting rejection.

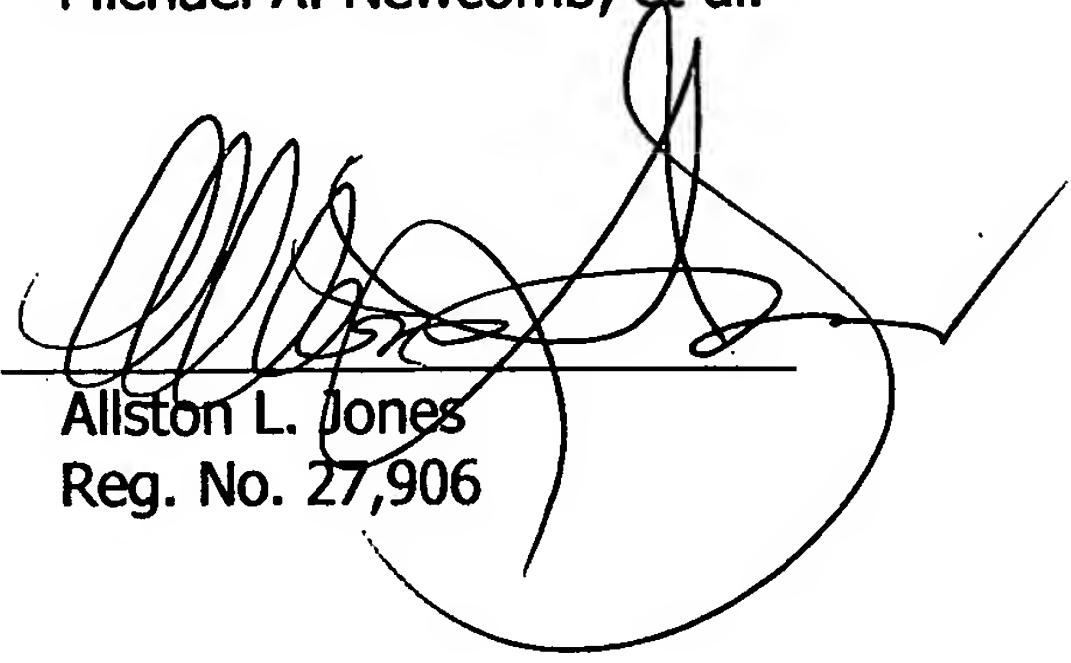
All claims are now in condition for allowance.

Favorable action is respectfully requested.

Respectfully submitted,
Michael A. Newcomb, et al.

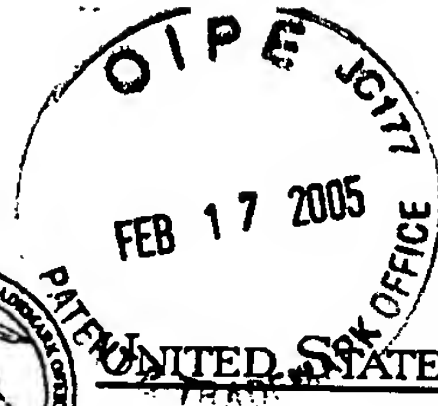
Customer No. 23308

by



Allston L. Jones
Reg. No. 27,906

Peters Verna Jones Schmitt & Aston, LLP
425 Sherman Ave., Suite 230
Palo Alto, CA 94306
Voice: 650/324-1677 (Mail Box #105)
FAX: 650/324-1678
e-mail: ajones888@earthlink.net
February 17, 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

DOCKETED 12/16

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/621,415	07/18/2003	3742	684	3521,159D (ALJ)	4	45	5

**PETERS, VERNY,
 JONES & SCHMITT**

CONFIRMATION NO. 2786

ALLSTON L. JONES

PETERS, VERNY, JONES & SCHMITT, L.L.P.

Suite 6

385 Sherman Avenue

Palo Alto, CA 94306-1840

DEC 15 2003

FILING RECEIPT



OC000000011454655

RECEIVED**TO BE DOCKETED**

Date Mailed: 12/10/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Michael A. Newcomb, San Jose, CA;

Evan R. Mapoles, San Ramon, CA;

David P. Gaines, Livermore, CA;

Steve Shannon, San Jose, CA;

Assignment For Published Patent Application

ULTRATECH STEPPER, INC.;

Domestic Priority data as claimed by applicant

This application is a DIV of 09/923,734 08/06/2001 PAT 6,617,555

Foreign Applications

If Required, Foreign Filing License Granted: 10/08/2003

Projected Publication Date: Request for Non-Publication Acknowledged

Non-Publication Request: Yes

Early Publication Request: No

** SMALL ENTITY **

Title

Imaging stabilization apparatus and method for high-performance optical systems

Preliminary Class

219

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231



JULY 13, 2004

PTAS

500002401A

ALLSTON L. JONES
425 SHERMAN AVENUE, SUITE 230
PALO ALTO, CA 94306

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/13/2004

REEL/FRAME: 014836/0879

NUMBER OF PAGES: 5

BRIEF: CHANGE OF NAME (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

ULTRATECH STEPPER, INC.

DOC DATE: 06/10/2003

ASSIGNEE:

ULTRATECH, INC.

3050 ZANKER ROAD

SAN JOSE, CALIFORNIA 95134

SERIAL NUMBER: 09536927

FILING DATE: 03/27/2000

PATENT NUMBER:

ISSUE DATE:

TITLE: METHODS FOR ANNEALING A SUBSTRATE AND ARTICLE PRODUCED BY SUCH METHODS

SERIAL NUMBER: 09712463

FILING DATE: 11/14/2000

PATENT NUMBER:

ISSUE DATE:

TITLE: METHOD FOR ANNEALING DIELECTRIC MATERIAL

014836/0879 PAGE 2

SERIAL NUMBER: 09816800

FILING DATE: 03/23/2001

PATENT NUMBER:

ISSUE DATE:

TITLE: COMPUTER ARCHITECTURE FOR AND METHOD OF HIGH-RESOLUTION IMAGING
USING A LOW-RESOLUTION IMAGE TRANSDUCER

SERIAL NUMBER: 09854226

FILING DATE: 05/10/2001

PATENT NUMBER: 6753947

ISSUE DATE: 06/22/2004

TITLE: LITHOGRAPHY SYSTEM AND METHOD FOR DEVICE MANUFACTURE

SERIAL NUMBER: 09855485

FILING DATE: 05/14/2001

PATENT NUMBER:

ISSUE DATE:

TITLE: MACHINE-INDEPENDENT ALIGNMENT SYSTEM AND METHOD

SERIAL NUMBER: 09923755

FILING DATE: 08/06/2001

PATENT NUMBER:

ISSUE DATE:

TITLE: METHOD AND APPARATUS FOR MASKING A WORKPIECE WITH INK

SERIAL NUMBER: 09941817

FILING DATE: 08/29/2001

PATENT NUMBER:

ISSUE DATE:

TITLE: METHOD FOR SEMICONDUCTOR GATE DOPING

SERIAL NUMBER: 10023144

FILING DATE: 12/17/2001

PATENT NUMBER:

ISSUE DATE:

TITLE: MAGNETIC LEVITATION STAGE APPARATUS AND METHOD

SERIAL NUMBER: 10213868

FILING DATE: 08/05/2002

PATENT NUMBER:

ISSUE DATE:

TITLE: DUAL-SIDED SUBSTRATE MEASUREMENT APPARATUS AND METHODS

SERIAL NUMBER: 10287864

FILING DATE: 11/06/2002

PATENT NUMBER: 6747245

ISSUE DATE: 06/08/2004

TITLE: LASER SCANNING APPARATUS AND METHODS FOR THERMAL PROCESSING

SERIAL NUMBER: 10330567

FILING DATE: 12/27/2002

PATENT NUMBER:

ISSUE DATE:

TITLE: LARGE-FIELD UNIT-MAGNIFICATION PROJECTION SYSTEM

SERIAL NUMBER: 10336066

FILING DATE: 01/02/2003

PATENT NUMBER:

ISSUE DATE:

TITLE: VARIABLE NUMERICAL APERTURE LARGE-FIELD UNIT-MAGNIFICATION
PROJECTION SYSTEM

SERIAL NUMBER: 10390504

FILING DATE: 03/13/2003

PATENT NUMBER:

ISSUE DATE:

TITLE: METHOD AND SYSTEM FOR LASER THERMAL PROCESSING OF SEMICONDUCTOR
DEVICES

SERIAL NUMBER: 10621415

FILING DATE: 07/18/2003

PATENT NUMBER:

ISSUE DATE:

TITLE: IMAGING STABILIZATION APPARATUS AND METHOD FOR HIGH-PERFORMANCE
OPTICAL SYSTEMS

159 OPR/ASSIGNMENTS

7/13/04 8:45 PAGE 8/13 RightFAX

SERIAL NUMBER: 09923734

FILING DATE: 08/06/2001

PATENT NUMBER: 6617555

ISSUE DATE: 09/09/2003

TITLE: IMAGING STABILIZATION APPARATUS AND METHOD FOR HIGH-PERFORMANCE
OPTICAL SYSTEMS